IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5231 OF 2004

Gurudeo Forgings Pvt.Ltd. & anr.... Applicants

versus

Harsukh B. Shah and another ... Respondents

...

Mr. V.B. Ghorpade, for the Applicants.

Mr. K.V. Saste, A.P.P., for the Respondent State.

...

CORAM : A.M.KHANWILKAR,J.

9th February 2005

P.C.:

. Heard Mr. Ghorpade for the Applicants. The main argument is that there are no allegations against Applicant No.2, who, incidentally, was the managing director of the Applicant No.1 Company, to indicate his complicity in the commission of the offence under section 138 of the Negotiable Instruments Act. There is no substance in this argument. On

reading the complaint as a whole, and in particular, paras 3 and 5, offence against Applicant No. 2 is clearly made out as the Applicant No. 2 was the signatory to the cheques in question. Hence, no interference is warranted. Rejected. All other contentions are kept open to be decided at the trial.

(A.M.KHANWILKAR,J.)